

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-20104-MARTINEZ

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER VEINTEMILLA,

Defendant.

\_\_\_\_\_ /

**REDACTED<sup>1</sup> NOTICE OF COMPLIANCE WITH**  
**COURT ORDER [D.E. 786]**

This notice is in compliance with the Court's order of August 14, 2024 following oral argument on Defendant Walter Veintemilla's Motion for Rule 15 deposition of witness J.C. Specifically, the Court ordered that Mr. Veintemilla locate witness J.C., confirm his availability for a deposition, confirm his willingness to be deposed, and advise the witness that the government will also ask questions during a deposition. The Court also directed Mr. Veintemilla to notify the Court if it would be asserting an advice of counsel defense or public authority defense in relation to contacts with witness J.C.

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<sup>1</sup> The unredacted Notice of Compliance with Court Order [D.E. 786] was filed *ex parte* on September 5, 2024.

Undersigned counsel has located witness J.C.<sup>2</sup> He is residing in Quito, Ecuador and continues to practice law. J.C. is not willing to travel to the United States to testify at trial. J.C. did not provide his reasons for his refusal to travel to the United States. J.C. is willing to sit for a Rule 15 deposition in Quito, Ecuador. He is also willing to travel for a deposition if his travel costs are compensated. He would also want to approve the location in advance. J.C. understands that the government will also be permitted to ask him questions during a deposition. [REDACTED]

[REDACTED]

[REDACTED]

J.C. provided that he is available on the following dates: September 10-12, 2024 or November 18-20, 2024. J.C. advised that he can provide additional dates, if required.

[REDACTED]

[REDACTED] Accordingly, out of an abundance of caution and to remain in compliance with the Court's directives, Mr. Veintemilla hereby gives notice of his intent to raise and advice of counsel and good faith defense at trial. However, Mr. Veintemilla reserves his right to withdraw such notice as discovery and the case proceeds.

[REDACTED]

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<sup>2</sup> On Friday, August 30, 2024, undersigned counsel had a call with government counsel and advised that J.C. had been located in Quito, Ecuador.

[REDACTED]

[REDACTED]

Further, undersigned counsel has a good-faith basis to believe that J.C. was an informant to investigative agents of the United States. [REDACTED]

[REDACTED] Mr. Veintemilla also intends to ask J.C. about his activities in this regard if permitted to depose J.C.

Dated: September 11, 2024

Respectfully submitted,

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By: /s/ Marissel Descalzo

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### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been served on all counsel of record electronically by utilizing CM/ECF or via electronic mail.

By: /s/ Marissel Descalzo

Marissel Descalzo, Esq.